

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
JASPER DIVISION**

CHARLES LACEY, )  
 )  
Petitioner, )  
 )  
v. ) 6:08-cv-00235-UWC  
 )  
WARDEN CHERYL PRICE and THE )  
ATTORNEY GENERAL OF THE )  
STATE OF ALABAMA, )  
 )  
Respondents. )

**MEMORANDUM OF OPINION**

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation (doc. 10) and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed without prejudice. An appropriate order will be entered.

Done the 27th day of May, 2008.



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U.W. Clemon  
United States District Judge